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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE DISTRICT OF ARIZONA

10 United States of America,  
11 Plaintiff,  
12 vs.  
13 Jonathan Lee Riches,  
14 Defendant.  
15

CR 18-01369-TUC-JGZ

GOVERNMENT'S SENTENCING  
MEMORANDUM

16 COMES NOW the United States of America, by and through its undersigned  
17 Counsel, and hereby respectfully submits its Sentencing Memorandum in this case.  
18 Sentencing is scheduled Friday, March 29, 2019.

19 1 On March 16, 2016, the defendant, using the name Jared Lee Loughner,  
20 filed a civil rights complaint against Gabrielle Giffords in the United States District  
21 Court in Phoenix, Arizona. The complaint sought \$25,000,000 in punitive damages  
22 against Ms. Giffords. (A copy of the complaint can be made available to the Court  
23 before or at the sentencing hearing.)

24 2. The defendant was subsequently indicted on July 11, 2018, for making  
25 a false statement in violation of Title 18, United States Code, Section 1001 in  
26 connection with the filing of the complaint.

27 3. The government and the defendant entered into a plea agreement which  
28 provided for a stipulated term of probation for five years pursuant to Federal Rules

1 of Criminal Procedure, Rule 11(c)(1)(C). One of the terms of the plea agreement is  
2 that the defendant is prohibited from filing in any court in any jurisdiction any  
3 frivolous, specious, fraudulent, and/or vexatious complaints or lawsuits.

4 4. The government respectfully requests that this Court impose that  
5 sentence in this case. The probation officer concurs with this disposition.

6 5. Over the years, the defendant engaged in the filing complaints in courts  
7 around the United States similar to the one filed in this case, posing as another  
8 individual, often of some notoriety, against individuals who often were known to the  
9 public. In fact, the defendant published a book of a collection of these complaints.  
10 As far as the government knows, none of these complaints, like the one in the instant  
11 case, ever proceeded in any meaningful way and no one suffered any financial loss.  
12 They surely imposed a burden on the courts caused by the time spent on having to  
13 deal with these complaints in the appropriate fashion. The exact reasons for this  
14 behavior can only be answered by the defendant. The presentence report does  
15 provide some insight into his reasoning for this conduct.

16 6. As far as the government knows, the defendant has never previously  
17 been prosecuted for this conduct. It is hoped that this prosecution and the terms of  
18 his probation will put an end to this conduct.

19 7. It is true that the defendant has a rather significant criminal history  
20 including his conviction in the United States District Court in Houston, Texas for  
21 wire fraud charges, which resulted in a 125-month prison sentence. According to his  
22 probation officer, the defendant successfully served his term of supervised release  
23 following the end of his sentence. Supervision ended less than a year ago.  
24 Apparently, he has not engaged in any criminal conduct following the termination of  
25 his supervised release.

26 8. Additional incarceration, through a prison sentence in this case, would  
27 not further the interests of justice. He has admitted to his conduct and accepted  
28 responsibility for it. The presentence report does indicate factors in mitigation of his

1 conduct. Hopefully, his prior incarceration has taught him that there are  
2 consequences for future criminal conduct including the filing of complaints as in the  
3 instant case. The government respectfully requests this Court to accept this plea  
4 agreement.

5 9. Finally, the victim in this case has advised the government that she  
6 supports the stipulated term of probation for the defendant.

7 Respectfully submitted on this 25th day of March, 2019.

8 ELIZABETH A. STRANGE  
9 First Assistant U.S. Attorney  
District of Arizona

10 *s/Wallace H. Kleindienst*

11 WALLACE H. KLEINDIENST  
12 Assistant U.S. Attorney

13 Copy of the above and foregoing served  
14 electronically or by other means this  
15 25th day of March, 2019, to:

16 Saul Huerta, Esq.  
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